



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No. 12

FISH & RICHARDSON PC
4350 LA JOLLA VILLAGE DRIVE
SUITE 500
SAN DIEGO, CA 92122

COPY MAILED

JUL 28 2003

OFFICE OF PETITIONS

In re Application of
Sanjay Nigam
Application No. 09/595,195
Filed: June 16, 2000
Atty Dkt No. 15670-021001/SD-141-2

:
:
:DECISION DISMISSING AS MOOT
:THE PETITION UNDER 37 CFR
:1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed July 1, 2003, to revive the above-identified application.

The petition is dismissed as moot in view of the decision granting a petition to revive under 37 CFR 1.137(b) on July 7, 2003.

The first petition to revive was received on June 26, 2003 and was accompanied by a revocation and power of attorney. The revocation and power of attorney was accepted on June 13, 2003.

It is noted that the petition to revive received by prior attorney William C. Fuess is accompanied by a declaration which now names as an additional inventor Qiao Jizeng. The petition filed on June 26, 2003 was accompanied by an executed declaration naming Sanjay Nigam as the sole inventor. The first executed declaration received by the U.S. Patent and Trademark Office sets the inventive entity. Note 37 CFR 1.48(f). Therefore, if Sanjay Nigam is not the sole inventor of this application, then a petition under 37 CFR 1.48(a) must now be submitted to add Qiao Jizeng as a second inventor.

A courtesy copy of this decision is being mailed to Mr. William C. Fuess. However, in view of the acceptance of the revocation and power of attorney from the assignee, all future correspondence will be held with the above address until such time as otherwise instructed.

This application is being forwarded to the Office of Initial Patent Examination for pre-examination processing.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:
William C. Fuess
17258 Amarillo Rd.
Ramona, CA 92065